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Attorney for Plaintiff
JOEL DREXEL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DR. JOEL DREXEL,

Plaintiff,

vs.

BERKSHIRE LIFE INSURANCE
COMPANY OF AMERICA; THE
GUARDIAN LIFE INSURANCE
COMPANY OF AMERICA, DOES I
THROUGH V, INCLUSIVE, AND ROE
CORPORATIONS I THROUGH V,
INCLUSIVE,

Defendants.

Case No. C08 3653 JW

**STIPULATION AND (PROPOSED) ORDER
RE DISMISSAL OF ENTIRE ACTION
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN Plaintiff, Dr.

Joel Drexel and Defendants, Berkshire Life Insurance Company of America and The Guardian
Life Insurance Company of America, by and through their respective attorneys of record, that

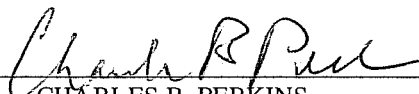
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1 this entire action shall be dismissed with prejudice, each party to bear his or its own attorney's
2 fees and costs.

3 DATE: August 19, 2009

FLYNN, ROSE & PERKINS

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5 By 
6 CHARLES B. PERKINS
7 Attorney for Plaintiff
8 DR. JOEL DREXEL

9 DATE: August 19, 2009

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER, LLP

10
11 By /s/ Sean P. Nalty
12 SEAN P. NALTY
13 Attorney for Defendants
14 Berkshire Life Insurance Company of
15 America and The Guardian Life
16 Insurance Company of America

17 ORDER

18 Having reviewed the stipulation of the parties and good cause appearing,

19 IT IS HEREBY ORDERED that this action is dismissed with prejudice, each party to
20 bear his or its own attorney's fees and costs.

21 IT IS SO ORDERED.

22 The Court terminates any remaining pending deadlines, hearings and motions. The Clerk shall close
23 this file.

24 DATE: August 21, 2009

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26 HONORABLE JAMES WARE
27 DISTRICT COURT JUDGE
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